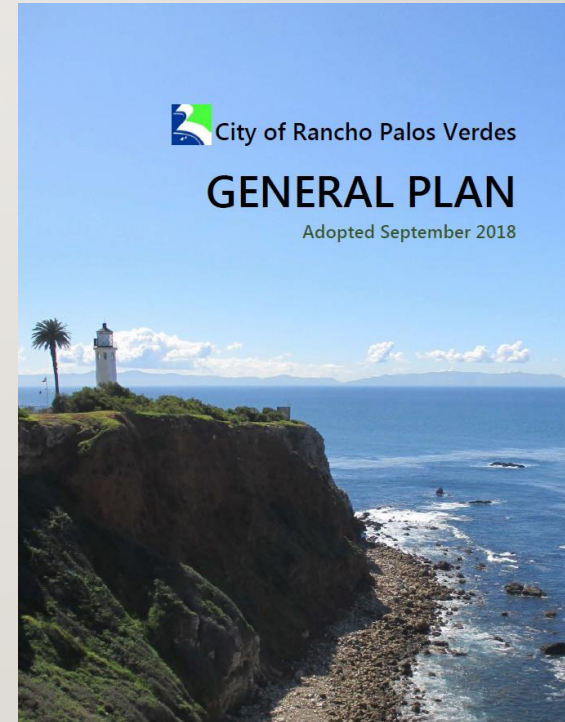


COMMUNITY DEVELOPMENT DEPARTMENT

- Planning Division
- Building & Safety Division
- Code Enforcement Division
- View Restoration Division

GENERAL PLAN

September 18, 2018 City Council
Adopted Updated General Plan



WIRELESS FACILITIES IN THE PUBLIC RIGHT-OF-WAY



Implements the City's Wireless
Telecommunication Facilities Ordinance



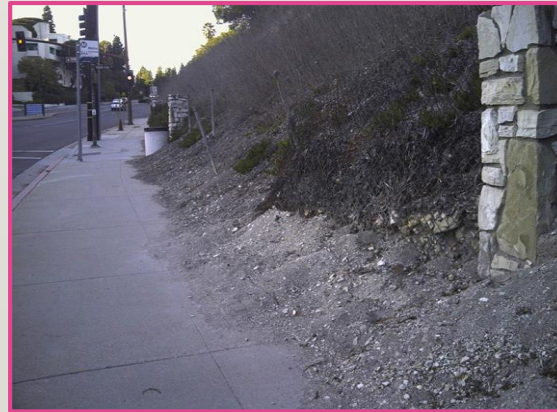
AIRCRAFT NOISE REDUCTION



Monitors Aircraft Noise - LAX Community
Noise Roundtable

ARTERIAL FENCES AND WALLS

- Short-term solutions
- Long-term solutions



PROHIBITION OF SHORT-TERM RENTALS

- Monitors and Enforces Short-Term Rental Prohibition
- Participates in the SBCCOG Task Force



NCCP / HCP



City's Natural Communities Conservation Plan /
Habitat Conservation Plan (NCCP/HCP) – 1,400
acres of open space

March 29, 2018 City Council Meeting

Federal Register – 60 day public comment period
(extended to May 6, 2019)

June 18, 2019 Tentative City Council Meeting

PEAFOWL MANAGEMENT PLAN



- Implements the Peacock Trapping Program (150 birds trapped and relocated)
 - Grandview
 - Vista Grande
 - Crestridge
 - Portuguese Bend
 - Sunnyside
 - Monaco
 - Mira Vista

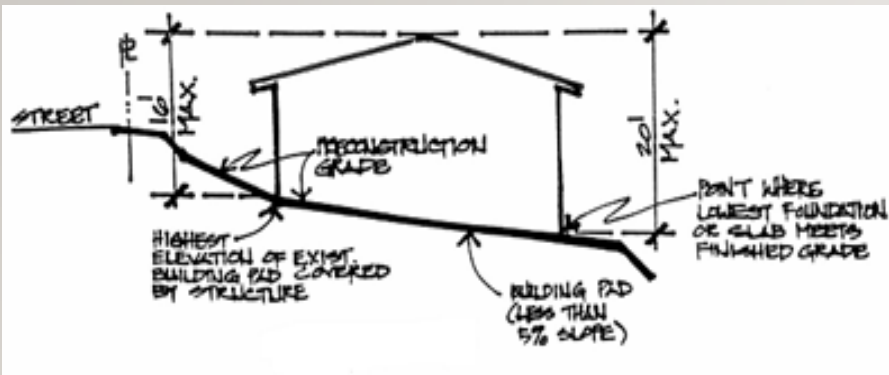
COYOTE MANAGEMENT PLAN

- Implements the Coyote Management Plan:
- Wildlife Watch Program
- Peninsula-wide Coyote Tracking App
- Participates in the SBCCOG Task Force

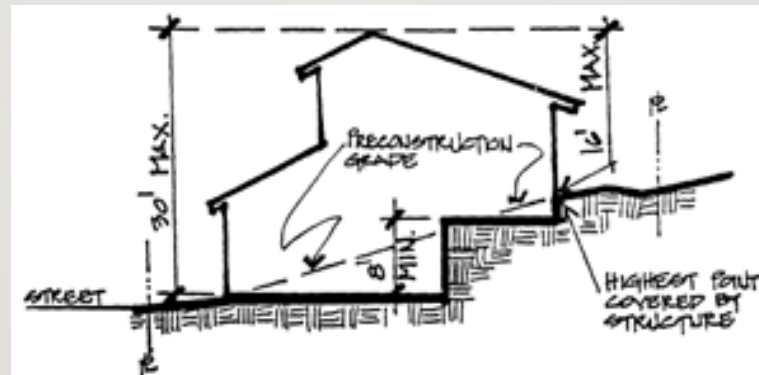


PLANNING DIVISION

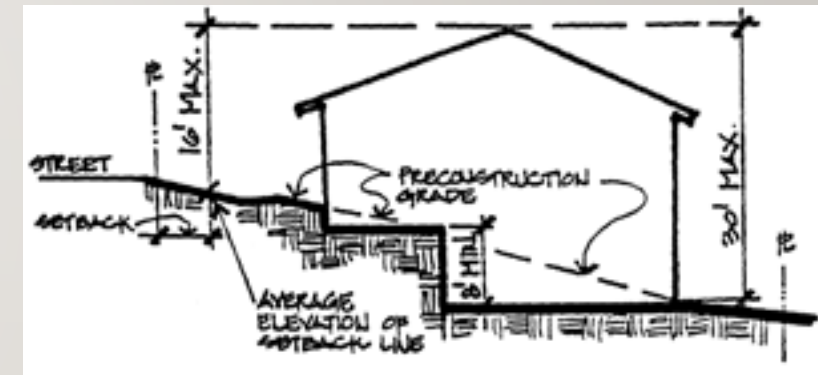
HEIGHT VARIATION



Pad Lot



Upslope Lot



Downslope Lot

HEIGHT VARIATION

- Pre-Application Review
- Silhouette
- 30-day notification
- Director or Planning Commission

Key Findings:

- View Impairment
- Privacy Impacts
- Neighborhood Compatibility



GRADING PERMIT

Purpose

- Preserve the natural scenic character of the area
- Minimize adverse impacts
- Maintain the visual continuity

Application Types

- Minor
- Major
- Remedial



MINOR GRADING PERMIT

- Over-the-counter review and approval
- 20-50 cubic yards cut/fill
- 3'-5' max of cut/fill on slopes less than 35% grade
- Examples: planters and terraced yards.



MAJOR GRADING PERMIT

- 50 cubic yards or greater
- 5' or greater of cut/fill on extreme slopes (35% or greater)
- Discretionary review
- View Protection if raising grades
- Over 1,000 cubic yards requires Planning Commission approval



REMEDIAL GRADING PERMIT

- Purpose - enhance soil stability
- Reduce geotechnical hazards due to natural land movement or the presence of natural hazards.
- Discretionary review
- 5,000 cubic yards is subject to Planning Commission review and approval.



GRADING PERMIT

General Approval Criteria:

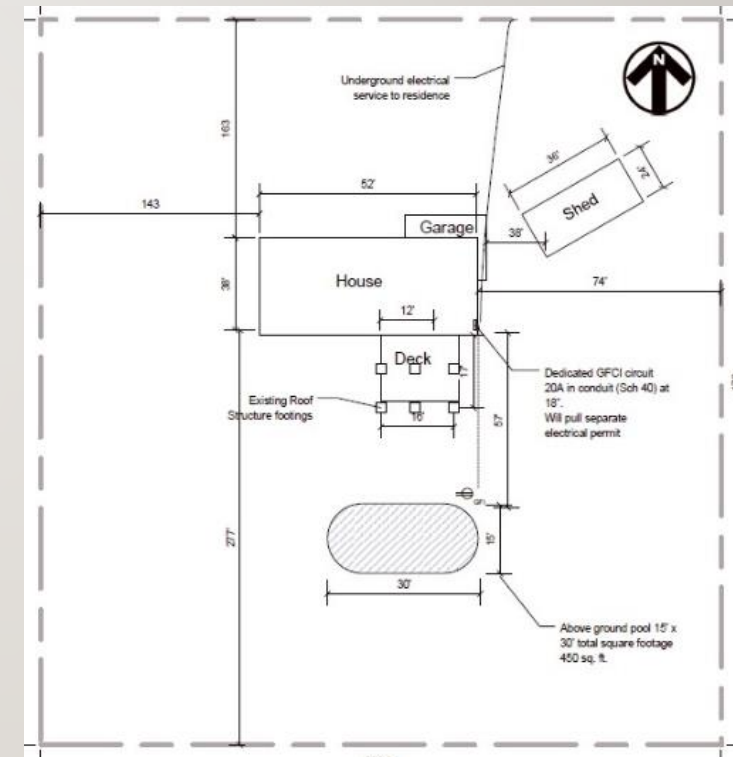
- Will not significantly adversely affect views/visual relationships;
- Preserves existing contours by minimizing grading and create reasonably natural contours; and
- Does not result in excessive grading or construction

SITE PLAN REVIEW

- Ensure development conform to basic development standards
- Planning Commission Review
 - Roof-mounted equipment
 - Architectural features
- Neighborhood Compatibility

Examples:

Decks, mechanical units, pools and spas, outdoor equipment, etc.



NEIGHBORHOOD COMPATIBILITY

- Generally the 20 closest homes
- Neighborhood Compatibility consists of:
 - Scale of surrounding residences;
 - Architectural style and building materials; and,
 - Front, side, and rear yard setbacks.
- View Ordinance not triggered.



Applicability:

- Height Variation Permits, certain Site Plan Review, and Grading Permits

FOLIAGE ANALYSIS

No permits/entitlements issued unless foliage taller than the following that significantly impairs a view from the viewing area of another parcel is removed.

- 16', as measured from the base of the tree **or**
- Ridgeline of the existing residence, whichever is lower.

Applicability:

- 120 square feet or more **and** gathering space **and** viewing area (e.g. deck, gazebo, etc.)
- 120 square feet or more of habitable space (e.g. additions, etc.)



VARIANCE

Relief or deviation from development standards based on:

- Exceptional/extraordinary circumstances/conditions
- Preservation/enjoyment of substantial property right
- Not be materially detrimental to the public welfare
- Not be contrary to the General Plan and Coastal Specific Plan

Examples:

Reduced setbacks, increased overall building height, reduced open space, etc.



COASTAL PERMIT

- Applies to all properties seaward of PVDW and PVDS.
- Appealable vs Non-Appealable to the Coastal Commission
- Considered by the Coastal Hearings Officer (Director of Community Development)
- Considered by Planning Commission as part of overall development application
- Conformity to the City's Local Coastal Program
 - Ensure public access
 - Protect natural resources
 - Protect view corridors



CONDITIONAL USE PERMIT

Uses and/or development will not create adverse impacts to the surrounding neighborhood.

Applicability:

- Uses necessary/desirable but not classified as permitted uses
- Uses permitted but requires special consideration and allows customized conditions of approval
- Uses that intensify the occupancy or land coverage

Compliance Reviews

Examples:

- Trump National Golf Course to operate in a residential zoning district
- Green Hills Memorial Park to operate in a cemetery zoning district
- Terranea to operate in a commercial recreation zoning district
- Marymount California University to operate in an institutional zoning district

FENCE/WALL PERMITS

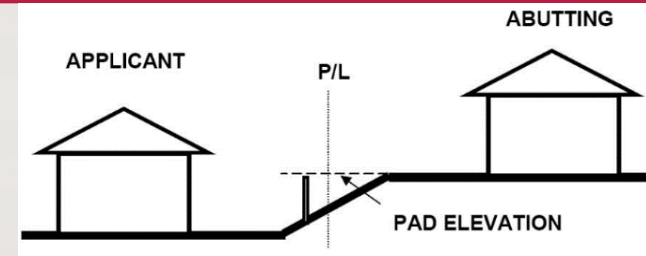
A Fence/Wall Permit ensures:

- No adverse impacts to privacy
- No creation of hazardous conditions
- No dangerous physical obstruction at street intersections
- No significant view impairment

Two-step process

- Site Visit
- View assessment & foliage analysis

Can be appealed to Planning Commission



APPEALS

- Any Director-level decision may be appealed to the Planning Commission, and any Planning Commission decision may be appealed to the City Council, who may:
 - Approve an application
 - Approve an application but impose different conditions
 - Deny an application without prejudice
 - Disapprove an application
 - Refer the matter back to the Director/Planning Commission
- Full refund if appeal upheld
- Partial refund (1/2) if appeal results in modification

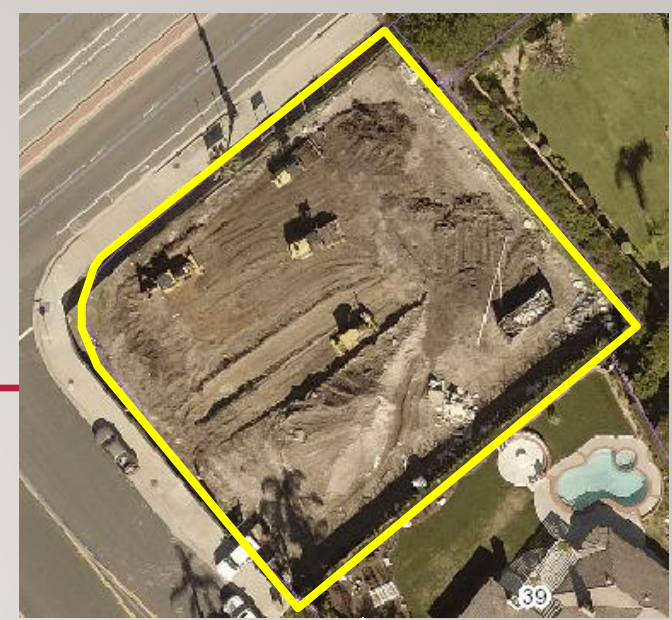
DIVISION OF LAND (SUBDIVISION)

Division of Land Applications:

- A **parcel map** is required for creating 4 or less lots (Planning Commission Review)
- A **tract map** is required for creating 5 or more lots (City Council Review)

Two-Phase Process:

- Tentative Map
- Final Map



ZONE CHANGES & CODE AMENDMENTS

- A Zone Change involves a request to change the zoning designation of a property.
- A Code Amendment allows for changes in the text of the City's Zoning Code (Title 17).
 - Application requests are initiated by:
 - City Council
 - Planning Commission and/or the Director of Community Director
upon petition to the City Council
 - Interested Parties
 - City assesses whether a change is consistent with the City's General Plan or warranted by a development proposal.

VIEW RESTORATION DIVISION

PROPOSITION M - VIEW PRESERVATION AND RESTORATION ORDINANCE

Ballot measure passed by RPV voters on November 7, 1989

- Established permanent view protection
- Encourages neighborhood cooperation
- Protects the legal rights of all parties
- Codified on November 17, 1989 as Section 17.02.040

VIEW APPLICATIONS

- View Restoration Permit Application
 - **Restore** a view to a condition to, or close to, when the applicant's lot was created.
- View Preservation Application
 - **Preserve** a view which existed in November 1989 (or existed at any time since Nov. 1989) and is now significantly impaired

VIEW RESTORATION PERMIT (VRP)

Restore a view to a condition to, or close to,
when the applicant's lot was created

VIEW RESTORATION PERMIT (VRP)

- Applicant(s) pay an application fee
- Planning Commission Decision
- Applicant(s) pays initial cost of trimming, removal and/or replacement
- Foliage owner responsible for subsequent maintenance on a Commission specified schedule
- May be appealed to City Council

VIEW RESTORATION PERMIT PROCESS

- Pre-application meeting is held
- Formal application filed, with fee, if no agreement reached
- Commissioners visit site (mandatory to participate)
- Public hearing held
- 15-day appeal period

VIEW RESTORATION FINDINGS

- 1) The applicant has complied with the early neighbor consultation process.
- 2) Foliage exceeding sixteen (16) feet or the ridgeline of the primary structure, significantly impairs a view from the applicant's viewing area.
- 3) The foliage is located on property less than one thousand (1,000) feet from the applicant's property line.
- 4) The foliage significantly impairing the view did not exist as view impairing vegetation when the lot from which the view is taken was created.
- 5) Removal or trimming of the foliage will not cause an unreasonable privacy infringement the occupants of the property upon which the foliage is located.
- 6) For property located within the boundaries of the Miraleste Recreation and Parks District, the Commission shall also find that removal or trimming of foliage strikes a reasonable balance between meeting the purposes of the View Ordinance and preserving the historical development of the Miraleste Recreation and Parks District with large numbers of trees.

VRP – EARLY NEIGHBOR CONSULTATION FINDING (NO. 1)

- Potential applicant(s) encouraged to resolve the issue privately with the foliage owner without City involvement
- Pre-application meeting held with City's View Restoration Mediator and City Staff to resolve the issue

VRP – FOLIAGE HEIGHT & SIGNIFICANCE FINDING (NO. 2)

Significantly impaired view

- Viewing area
- Defined protected view
- Significant impairment?
 - Landmarks?
- Position of foliage in view frame
 - Center or periphery?
 - Single vs. multi-component?
- 16 feet is measured from the base of the tree

View impairment of foliage before VRP



VRP – 1,000 FOOT DISTANCE FINDING (NO. 3)

- Measured from applicant's property line to the foliage owner's closest property line
- City maps used to determine distance between properties
- General rule of thumb: The greater the distance to the foliage, the less likely the foliage significantly impairs a view

VRP –VIEW CONDITION ON LOT CREATION DATE FINDING (NO. 4)

The applicant's lot had been afforded a view when the lot was created/recorded. Since then, the neighboring foliage has grown to impair the applicant's view.

- Tract or parcel map recordation dates
- LA County geology and/or grading information
- Aerial Photos
- Dated photographs taken from the applicant's property





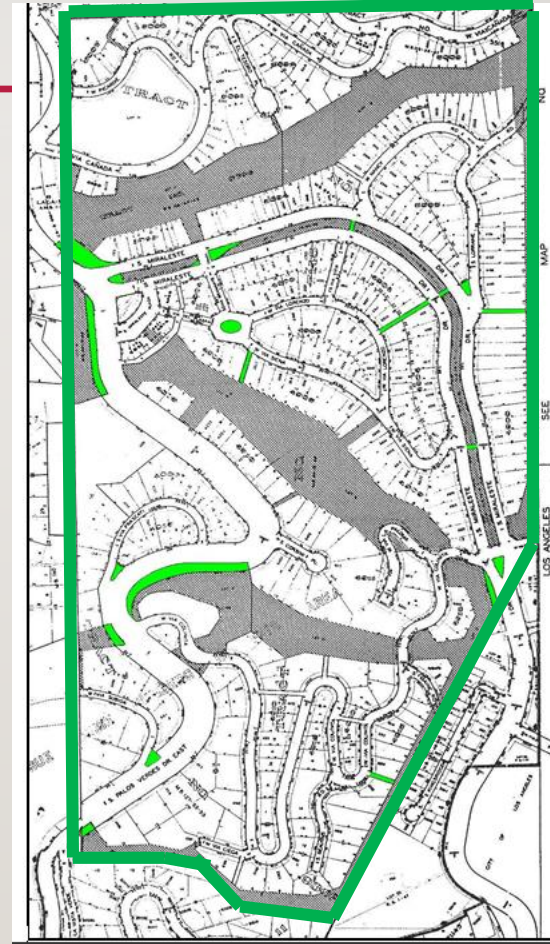
VRP – PRIVACY INFRINGEMENT FINDING (NO. 5)

- Greater weight given to outdoor privacy over indoor privacy
- Mitigate with replacement foliage

VRP – MIRALESTE RECREATION AND PARKS FINDING (NO. 6)

- Privately owned properties within the District boundaries are subject to the View Restoration Permit process.
- District property not subject to View Ordinance

MIRALESTE RECREATION & PARKS DISTRICT AND DISTRICT PROPERTIES



Restored



VIEW PRESERVATION PROCESS

Preserve a view which existed on
or after November 17, 1989 and
is now significantly impaired

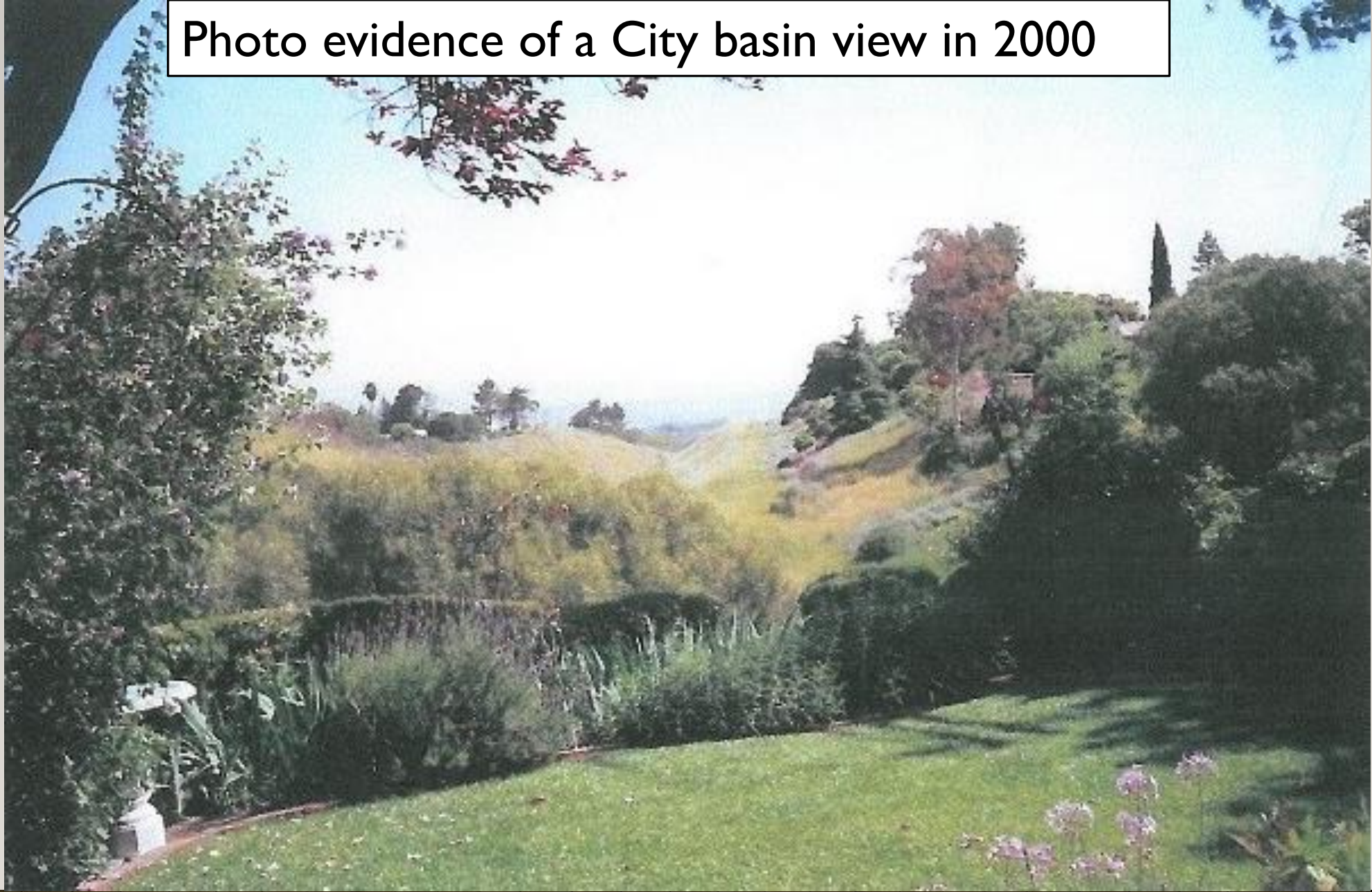
VIEW PRESERVATION APPLICATION PROCESS

- Applicant contacts foliage owner
- Staff verifies documented view photograph and view impairment before any forms are submitted to City
- Staff notifies foliage owner of the pending application and request that the trimming be performed voluntarily
- If no trimming is performed within 30 days, then Director renders a decision requiring the foliage owner to trim within 90 days
- 15-day appeal period (Planning Commission then to City Council)

Staff confirmed that foliage significantly
impairs the view



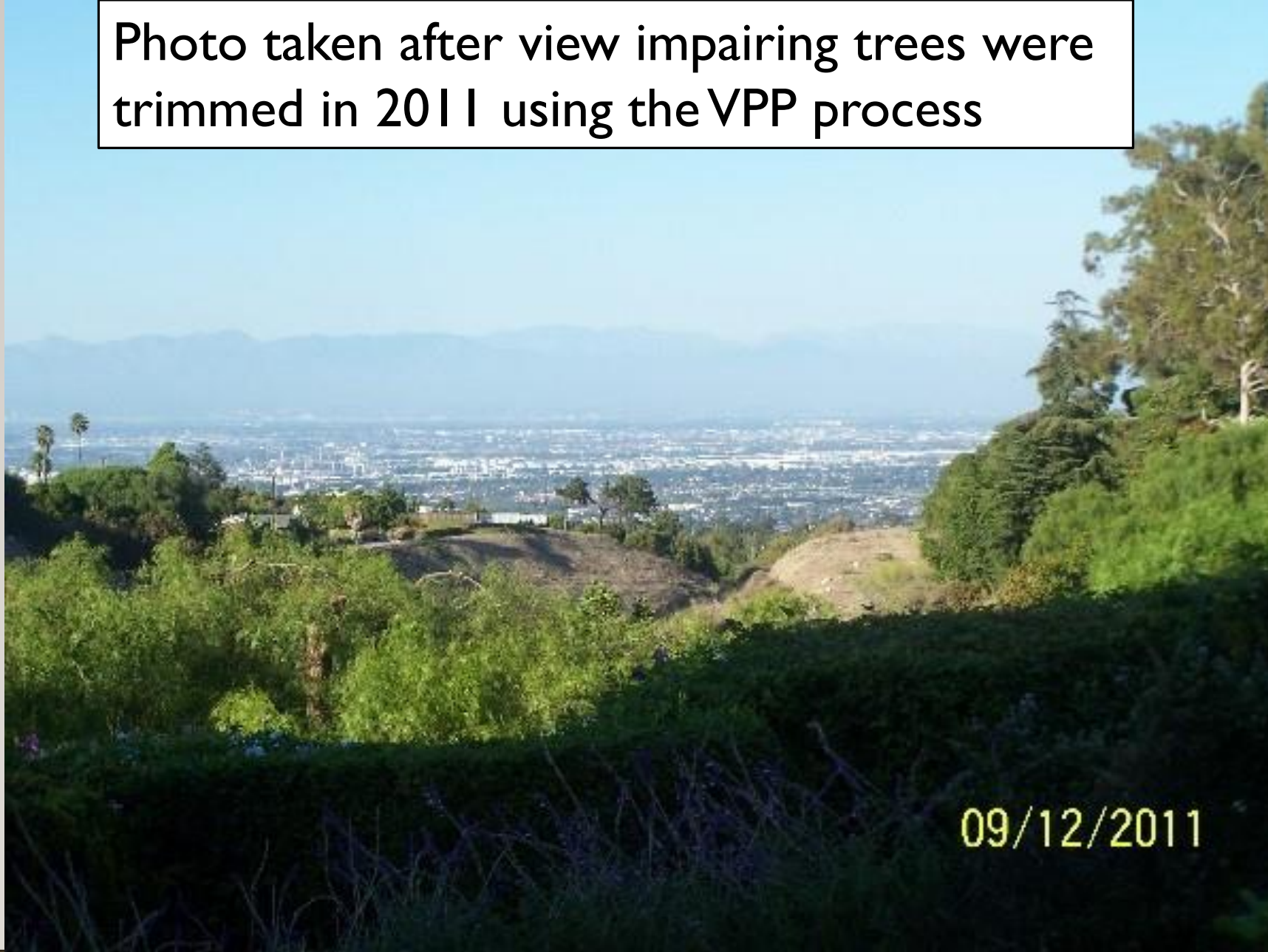
Photo evidence of a City basin view in 2000



VIEW PRESERVATION FINDINGS

- 1) The applicant has complied with the early neighbor consultation process and has shown proof of cooperation on his/her part to resolve conflicts.
- 2) Foliage exceeding sixteen (16) feet or the ridgeline of the primary structure, whichever is lower, significantly impairs a view from the applicant's viewing area, whether such foliage is located totally on one property, or when combined with foliage located on more than one property.
- 3) The foliage to be removed is located on property, any part of which is less than one thousand (1,000) feet from the applicant's property line.
- 4) The foliage significantly impairing the view did not exist as view impairing vegetation in November 1989 or thereafter.
- 5) Removal or trimming of the foliage will not cause an unreasonable infringement of the privacy of the occupants of the property upon which the foliage is located.

Photo taken after view impairing trees were trimmed in 2011 using the VPP process



09/12/2011

ADDITIONAL INFORMATION



CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

- Exemptions
 - Categorical
 - Statutory
- Negative Declarations (ND)
- Mitigated Negative Declarations (MND)
- Environmental Impact Reports (EIR)

500' FOOT RULE

- Conflicts of interest involving real property
- Within 500' – presumed to have a material impact
- Beyond 1000' – presumed **not** to have a material impact
- Between 500' and 1000' – material impact depends on various factors.
 - Development potential;
 - Income-producing potential;
 - Highest and best use;
 - Market value; or,
 - Character by substantially altering traffic levels, intensity of use, parking, view, privacy, noise levels or air quality

BROWN ACT

- Open Meeting Law - to provide public access to, and participation in, meetings.
- Meeting is defined as any gathering of a majority of the members of a legislative body at the same time and place to hear, discuss or deliberate upon any item that is within the subject matter jurisdiction of the legislative body.
- Meeting includes any series of telephonic or email communications, lunches, social gatherings, or board meetings.
- City Council, Planning Commission, Committees, and standing City Council subcommittees
- Public notice
- Post agendas (72 hours in advance and publicly accessible)
- Public comment